



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

| APPLICATION NO.  | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|--|-------------|----------------------|---------------------|------------------|
| 09/944,604   | 08/31/2001  | John C. Gerdes       | XTR004 CIP          | 2327             |
| 25235  | 7590        | 06/01/2004           | EXAMINER            |                  |
| HOGAN & HARTSON LLP<br>ONE TABOR CENTER, SUITE 1500<br>1200 SEVENTEENTH ST<br>DENVER, CO 80202 |             |                      | WHISENANT, ETHAN C  |                  |
|  |             |                      | ART UNIT            | PAPER NUMBER     |
|  |             |                      | 1634                |                  |

DATE MAILED: 06/01/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

**Response to Rule 312 Communication**

**Application No.**

09/944,604

**Applicant(s)**

GERDES ET AL.

**Examiner**

BJ Forman

**Art Unit**

1634

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

1. ☒ The amendment filed on 11 February 2004 under 37 CFR 1.312 has been considered, and has been:

a) ☒ entered.

b) ☐ entered as directed to matters of form not affecting the scope of the invention.

c) ☐ disapproved because the amendment was filed after the payment of the issue fee.

Any amendment filed after the date the issue fee is paid must be accompanied by a petition under 37 CFR 1.313(c)(1) and the required fee to withdraw the application from issue.

d) ☐ disapproved. See explanation below.

e) ☐ entered in part. See explanation below.

  
**BJ FORMAN, PH.D.**  
**PRIMARY EXAMINER**

BJ Forman  
Primary Examiner  
Art Unit: 1634